

The court incorporates by reference in this paragraph and adopts as the findings and orders of this court the document set forth below. This document was signed electronically on April 15, 2019, which may be different from its entry on the record.

IT IS SO ORDERED.

Dated: April 15, 2019



  
ARTHUR I. HARRIS  
UNITED STATES BANKRUPTCY JUDGE

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO

In re:	)	Chapter 7
	)	
RICHARD MCKAY OSBORNE, JR.	)	Case No. 17-14920
AND TRICIA A. OSBORNE,	)	
Debtors.	)	Judge Arthur I. Harris
_____	)	
	)	
DANIEL M. MCDERMOTT,	)	Adversary Proceeding
UNITED STATES TRUSTEE,	)	No. 18-1124
Plaintiff.	)	
	)	
v.	)	AMENDED PRETRIAL
	)	MINUTES AND TRIAL
RICHARD MCKAY OSBORNE, JR.	)	SCHEDULING ORDER
AND TRICIA A. OSBORNE,	)	
Defendants.	)	

APPEARANCES BY: **S. Belhorn**, for plaintiff  
**H. Moseman**, for defendants

The Court held a pretrial conference on February 12, 2019. In order to secure the just, speedy, and inexpensive determination of this matter, the parties

are directed to comply with the following deadlines and instructions, which supersede any prior deadlines or instructions issued by the Court:

(1) INITIAL DISCLOSURES. The Court has determined that compliance with the requirements of Fed. R. Civ. P. 26(a)(1) in this proceeding is not necessary.

(2) DISCLOSURE OF EXPERTS. No later than **April 22, 2019**, any party intending to present expert testimony shall comply with the disclosure requirements of Fed. R. Civ. P. 26(a)(2), made applicable to this matter under Bankruptcy Rules 7026 and 9014.

(3) DISCOVERY. All discovery, including depositions of fact and expert witnesses, shall be completed on or before **May 20, 2019**.

(4) DISPOSITIVE MOTIONS. The deadline for filing dispositive motions is **June 19, 2019**. Briefs in opposition are due **July 10, 2019**. Optional reply briefs are due **July 24, 2019**. No other briefs may be filed without leave of the Court.

(5) FINAL PRETRIAL CONFERENCE. A final pretrial conference will be held only if a party requests it. Any party desiring a final pretrial conference shall be responsible for conferring with the remaining counsel and contacting the Courtroom Deputy, Ms. Stephanie Zelman-Thanasiu, [(216) 615-4402] to schedule a final pretrial conference.

(6) TRIAL. Trial is scheduled to begin on **October 15, 2019, at 9:00 A.M.**

(7) ADDITIONAL TRIAL-RELATED FILING REQUIREMENTS.

(A) STIPULATIONS OF FACT. On or before **October 8, 2019**, the parties are to file Stipulations of Fact or, in the alternative, a Joint Statement that all material facts are disputed. In addition, the parties may agree to have the matter resolved solely on the basis of their Stipulations of Fact without a trial. If this is the case, the parties should so indicate in the Stipulations of Fact, which should be submitted no later than **October 8, 2019**.

(B) WITNESS LISTS. On or before **October 8, 2019**, each party shall file and serve a witness list, including the name of each individual the party intends to call as a witness, together with a statement of the issues about which the witness is expected to testify. Witnesses who are not properly listed will not normally be permitted to testify at trial. This paragraph does not apply to witnesses called solely for impeachment or rebuttal.

(C) TRIAL BRIEFS. On or before **October 8, 2019**, each party shall file and serve a trial brief that includes: a synopsis of the facts upon which the party intends to prove its claim or defense; specific citations of statutes, case law, or other legal authorities upon which the party relies; and a discussion of any anticipated evidentiary issues.

(D) EXHIBIT LISTS. On or before **October 8, 2019**, the parties shall file and serve a list of each party's exhibits, as well as any Joint Exhibits. Exhibits that are not disclosed will not normally be admitted into evidence at trial. This paragraph does not apply to exhibits offered solely for impeachment or rebuttal.

(E) EXHIBITS. On or before **October 8, 2019**, the parties shall deliver to chambers, but not file, three complete sets of exhibits and serve a complete set of exhibits on opposing counsel. Plaintiff's exhibits shall be marked with numbers and defendants' exhibits shall be marked with letters. Where there are multiple plaintiffs or defendants, the exhibits shall be marked as ordered above, but with the surname of the particular plaintiff or defendant added (for example, "Pl. Smith 1" or "Def. Jones A"). Counsel for all parties should ensure that names of minor parties, birthdays, social security numbers, taxpayer-identification numbers, and account numbers are appropriately redacted pursuant to Bankruptcy Rule 9037.

This Order shall not be modified except by leave of Court upon good cause shown. Failure to comply with this Order may result in dismissal of the action, default judgment, assessment of costs and attorney fees, and other appropriate sanctions.

IT IS SO ORDERED.